



General Assembly

January Session, 2009

Amendment

LCO No. 6797

HB0552606797HDO

Offered by:
REP. MCCRORY, 7th Dist.

To: House Bill No. 5526

File No. 327

Cal. No. 230

"AN ACT CONCERNING IN-SCHOOL SUSPENSIONS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 10-233c of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) Any local or regional board of education may authorize the
6 administration of the schools under its direction to suspend from
7 school privileges any pupil whose conduct on school grounds or at a
8 school sponsored activity is violative of a publicized policy of such
9 board or is seriously disruptive of the educational process or
10 endangers persons or property or whose conduct off school grounds is
11 violative of such policy and is seriously disruptive of the educational
12 process. In making a determination as to whether conduct is seriously
13 disruptive of the educational process, the administration may consider,
14 but such consideration shall not be limited to: (1) Whether the incident
15 occurred within close proximity of a school; (2) whether other students

16 from the school were involved or whether there was any gang
17 involvement; (3) whether the conduct involved violence, threats of
18 violence or the unlawful use of a weapon, as defined in section 29-38,
19 and whether any injuries occurred; and (4) whether the conduct
20 involved the use of alcohol. Any such board may authorize the
21 administration to suspend transportation services for any pupil whose
22 conduct while awaiting or receiving transportation to and from school
23 endangers persons or property or is violative of a publicized policy of
24 such board. Unless an emergency exists, no pupil shall be suspended
25 without an informal hearing by the administration, at which such
26 pupil shall be informed of the reasons for the disciplinary action and
27 given an opportunity to explain the situation, provided nothing herein
28 shall be construed to prevent a more formal hearing from being held if
29 the circumstances surrounding the incident so require, and further
30 provided no pupil shall be suspended more than ten times or a total of
31 fifty days in one school year, whichever results in fewer days of
32 exclusion, unless such pupil is granted a formal hearing pursuant to
33 sections 4-176e to 4-180a, inclusive, and section 4-181a. If an emergency
34 situation exists, such hearing shall be held as soon after the suspension
35 as possible.

36 (b) In determining the length of a suspension period, the
37 administration may receive and consider evidence of past disciplinary
38 problems which have led to removal from a classroom, suspension or
39 expulsion of such pupil.

40 (c) Whenever any administration suspends a pupil, such
41 administration shall not later than twenty-four hours after the
42 suspension notify the superintendent or such superintendent's
43 designee as to the name of the pupil against whom such disciplinary
44 action was taken and the reason therefor.

45 (d) Any pupil who is suspended shall be given an opportunity to
46 complete any classwork including, but not limited to, examinations
47 which such pupil missed during the period of suspension.

48 (e) For any pupil who is suspended for the first time pursuant to
49 this section and who has never been expelled pursuant to section 10-
50 233d, the administration may shorten the length of or waive the
51 suspension period if the pupil successfully completes an
52 administration-specified program and meets any other conditions
53 required by the administration. Such administration-specified program
54 shall not require the pupil or the parent or guardian of the pupil to pay
55 for participation in the program.

56 (f) Whenever a pupil is suspended pursuant to the provisions of this
57 section, notice of the suspension and the conduct for which the pupil
58 was suspended shall be included on the pupil's cumulative
59 educational record. Such notice shall be expunged from the cumulative
60 educational record by the local or regional board of education if a
61 pupil graduates from high school, or in the case of a suspension of a
62 pupil for which the length of the suspension period is shortened or the
63 suspension period is waived pursuant to subsection (e) of this section,
64 such notice shall be expunged from the cumulative educational record
65 by the local or regional board of education (1) if the pupil graduates
66 from high school, or (2) if the administration so chooses, at the time the
67 pupil completes the administration-specified program and meets any
68 other conditions required by the administration pursuant to said
69 subsection (e), whichever is earlier.

70 (g) On and after July 1, [2009] 2010, suspensions pursuant to this
71 section shall be in-school suspensions for pupils in grades
72 kindergarten to eight, inclusive, unless during the hearing held
73 pursuant to subsection (a) of this section, the administration
74 determines that the pupil being suspended poses such a danger to
75 persons or property or such a disruption of the educational process
76 that the pupil shall be excluded from school during the period of
77 suspension. An in-school suspension may be served in the school that
78 the pupil attends, or in any school building under the jurisdiction of
79 the local or regional board of education, as determined by such board.

80 (h) On and after July 1, 2011, no pupil in grades nine to twelve,

81 inclusive, shall be suspended in a manner that includes exclusion from
82 school unless, during the hearing held pursuant to subsection (a) of
83 this section, the administration determines that the pupil being
84 suspended poses such a danger to persons or property or such a
85 disruption of the educational process that the pupil shall be excluded
86 from school during the period of suspension."

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	10-233c
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